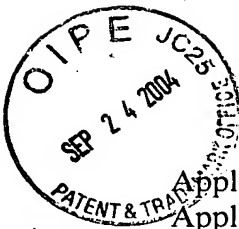


#16



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/500,898  
Applicant : IMAMURA et al..  
Filed: : July 7, 2004  
TC/A.U. : To Be Assigned  
Examiner : To Be Assigned  
  
Docket No. : 7398/84065  
Customer No. : 42798

Commissioner for Patents  
U.S. Patent and Trademark Office  
220 20th Street, South  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

September 24, 2004

**SUBMISSION OF TRANSLATED PCT  
INTERNATIONAL PRELIMINARY EXAMINATION REPORT**

Dear Sir:

Applicants enclose a translated PCT International Preliminary Examination Report,  
PCT Article 36 and Rule 70, for the Examiner's consideration.

Respectfully submitted,

FITCH, EVEN, TABIN &amp; FLANNERY

By: 

Kendrew H. Colton  
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From the INTERNATIONAL BUREAU

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**PCT**

**NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

(PCT Rule 72.2)

To:

KANEDA, Nobuyuki  
8th Floor, 16th Kowa Bldg.  
9-20, Akasaka 1-chome  
Minato-ku, Tokyo 107-0052  
JAPON



Date of mailing (day/month/year) 26 August 2004 (26.08.2004)	<b>IMPORTANT NOTIFICATION</b>  International filing date (day/month/year) 10 October 2002 (10.10.2002)
Applicant's or agent's file reference HGK02P087	
International application No. PCT/JP2002/010540	
Applicant HAYASHI ENGINEERING INC. et al	

**1. Transmittal of the translation to the applicant.**

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

**2. Transmittal of the copy of the translation to the elected Offices.**

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

AZ, CA, CH, CN, CO, EP, GH, KG, KP, KR, MK, MZ, RO, RU, TM

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, BA, BB, BG, BR, BY, BZ, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, ES, FI, GB, GD, GE, GM, HR, HU, ID, IL, IN, IS, KE, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MN, MW, MX, NO, NZ, OA, OM, PH, PL, PT, SD, SE, SG, SI, SK, SL, TJ, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

**3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

**It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.**

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Authorized officer

Yoshiko Kuwahara

Facsimile No.+41 22 740 14 35

Facsimile No.+41 22 338 90 90

## PATENT COOPERATION TREATY



## PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference HGK02P087	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP2002/010540	International filing date (day/month/year) 10 October 2002 (10.10.2002)	Priority date (day/month/year) 10 January 2002 (10.01.2002)
International Patent Classification (IPC) or national classification and IPC G10K 11/16		
Applicant HAYASHI ENGINEERING INC.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 3 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of \_\_\_\_\_ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 11 July 2003 (11.07.2003)	Date of completion of this report 03 February 2004 (03.02.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

Translation

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP2002/010540

I. Basis of the report

1. With regard to the elements of the international application:\*

- ☒ the international application as originally filed
- ☐ the description:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the claims:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, as amended (together with any statement under Article 19  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the drawings:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.  
 These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

International application No.

PCT/JP02/10540

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Claims	1-14	YES
	Claims		NO
Inventive step (IS)	Claims	1-14	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-14	YES
	Claims		NO

**2. Citations and explanations**

Document 1: JP, 51-50401, A (Teijin Ltd.), 4 May, 1976 (04.05.76)  
 Document 2: JP, 61-70085, A (Dr. Alois Stankiewicz GmbH), 10 April, 1986 (10.04.86)  
 Document 3: JP, 2001-47926, A (K.K. Hayashi Gijutsu Kenkyujo), 20 February, 2001 (20.02.01)  
 Document 4: JP, 6-1176, A (Sugihara Hosei Kogyo K.K.), 11 January, 1994 (11.01.94)

**Claims 1-7**

Document 1, etc. describe a sound-absorbing structure of two layers and a flow resistance value for each of the layers; however, those values are significantly different from those of the present application.

**Claims 8-14**

Documents 3 and 4 describe a mat for automobiles having a pile layer, but do not take its flow resistance value into consideration.